

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of Tim Landborg

PREHEARING ORDER

A prehearing conference was held by The Honorable Raymond R. Krause on December 11, 2006, at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. Jill Schlick, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, MN 55101-2127, appeared on behalf of the Department of Natural Resources. Nicholas J. Eugster, Messerli & Kramer, P.A., 1800 Fifth Street Towers, 150 South Fifth Street, Minneapolis, MN 55402-4218, appeared on behalf of Tim Landborg.

IT IS HEREBY ORDERED:

1. Discovery shall be completed by **March 12, 2007**.
2. At the time of the prehearing, the parties did not anticipate that they would call any expert witnesses. In the event that either party should choose to do so, the Administrative Law Judge shall be notified so that a schedule may be set for the parties to file a statement describing the subject matter of expected expert testimony, the substance of the facts and opinions to which the expert is expected to testify, and provide a summary of the grounds for each opinion, any report prepared by the expert for this matter, and a curriculum vitae for the expert.
3. Any dispositive motions shall be served by **May 4, 2007**, and the responding party shall have ten working days to respond.
4. This matter is scheduled for hearing on **May 23, 2007**, commencing at **9:30 a.m.** at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. The hearing will continue on May 24, 2007, if necessary.
5. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **May 9, 2007**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

6. The parties have agreed that the hearing may be tape recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **May 16, 2007**. See Minn. R. 1400.7400, subp. 2.

7. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.

8. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

9. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated: December 12, 2006

s/Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge